

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	
<b>v.</b>	:	<b>CRIMINAL ACTION</b>
<b>ZACHARY DAVIS</b>	:	<b>NO. 10-53-05</b>
	:	

**ORDER**

**AND NOW**, this 11th day of October, upon consideration Defendant's Amended Motion to Vacate, Set Aside, or Correct a Sentence by a Person in Federal Custody pursuant to 28 U.S.C. § 2255 [Doc. No. 421] and the response thereto, and for the reasons set forth in accompanying Memorandum Opinion, it is hereby **ORDERED** that the Motion is **DENIED without an evidentiary hearing**. There is no basis for the issuance of a certificate of appealability. The Clerk is directed to **CLOSE** the case.

It is so **ORDERED**.

**BY THE COURT:**

/s/Cynthia M. Rufe

CYNTHIA M. RUFE, J.